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Local Counsel for Plaintiff

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

SYSCO FOOD SERVICES OF METRO  
NEW YORK, LLC,

Plaintiff,

v.

JEKYLL & HYDE, INC.; and SIXTH  
AVENUE FOOD SERVICES LTD,  
Defendants.

Civil Case No. 08-cv-02958

**NOTICE OF MOTION SEEKING LEAVE TO FILE A SECOND AMENDED  
COMPLAINT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 15(a)**

**PLEASE TAKE NOTICE** that upon the Declaration of Counsel, sworn to on May 27, 2011, and all exhibits annexed thereto, the accompanying Memorandum of Law in Support, and all prior pleadings and proceedings in this action, plaintiff, Sysco Food Services of Metro New York LLC, will move this Court, at a date and time to be determined, pursuant to Federal Rule of Civil Procedure 15(a), seeking leave to file a Second Amended Complaint.

**NOTICE IS FURTHER GIVEN** that responses to the Motion, if any, shall be served on  
Norris McLaughlin & Marcus, P.A., 875 Third Avenue, 8th Floor, New York, New York, 10022.

Dated: May 27, 2011  
New York, New York

NORRIS MCLAUGHLIN & MARCUS, P.A.

/s/ Melissa A. Peña

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*Local Counsel for Plaintiff, Sysco Food Services of Metro  
New York, LLC*

-and-

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*Co-Counsel for Plaintiff, Sysco Food Services of Metro  
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To: Lawrence Rader, Esq.  
225 Broadway, Suite 400  
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(Via ECF)